

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

VICTOR HUGO ORTEGA HERNANDEZ, *individually and on  
behalf of others similarly situated,*

*Plaintiff,*

-against-

MUZZARELLA INC. (d/b/a MUZZARELLA PIZZA), JOHN  
RUSSO, and ANTHONY MUZZARELLA,

*Defendants.*

Case No.: 17-cv-6164-KPF

**PROPOSED VOIR DIRE QUESTIONS**

The parties jointly propose the following questions for *voir dire* of the jury:

**General/Procedural**

1. After setting forth the projected length of trial and the expected daily schedule: Does the length of this trial or the trial schedule contemplated by the Court present a special problem to any member of the panel? If so, what?
2. After a brief description of the nature of the case and introduction of the parties: Has any member of the panel heard or read anything about this case? If so, what? Does any member of the panel know any of the parties? If so, who do you know? How do you know them?
3. Have you ever eaten at, shopped at, or ordered from the restaurant known as Muzzarella Pizza located at 221 Avenue A, New York, New York 10009?
4. After counsel introduce themselves and their firms: Does any member of the panel or your immediate family or anyone else close to you know any of the attorneys involved in this case or have you or any of your immediate family had any business dealings with or been employed by any of these attorneys or their respective law firms? If so, please describe how you've been acquainted.
5. Do any of you have any special disability or problem that would make serving as a member of the jury difficult or impossible? If so, what? How does it affect you?

6. Please look around the room at the other potential jury members. Did you know any of the other potential jurors before today? If so, who? How do you know them?

**Personal Background**

1. What is your current occupation and employer?
2. Please describe your job duties.
3. Does anyone here currently own their own business? What is the nature of the business? Do you have any employees?
4. What is the highest level of education you completed?
5. What do you like to do when you have free time?
6. Have you ever felt that you were unfairly treated by someone at work? If so, what happened?
7. Have you ever had a dispute with any of your employers, current or former, regarding your salary, rate of pay, hours worked or the size of your paycheck? If so, can you please describe the nature of the dispute? Did you file a lawsuit?
8. Have you ever complained to an employer? If so, what was the outcome of your complaint?
9. Have you ever complained to your employer that you were owed minimum wage or overtime pay? If so, can you please describe the nature of the dispute? Did you file a lawsuit?
10. What clubs or organizations do you belong to?

**Prior Jury Service/Involvement With Legal System**

1. Have you ever served as a juror, whether in a criminal case or a civil case, in either federal or state court? If so, what was the nature of the case? Do you recall what verdict the jury reached?
2. Have you or anyone in your immediate family or anyone close to you ever participated as a party in a lawsuit? If so, who was it? What was the nature of the lawsuit? What was the outcome?
3. Have you ever testified as a witness in a trial? If so, what was the nature of the case? What was the outcome?

**Bias**

1. Does anyone here believe that they will have trouble waiting until the evidence is presented, the attorneys argue their case and the judge instructs the jury on the law before making a decision in this case?
2. The Plaintiffs in this case are Spanish-speaking immigrants. Do you think you could make a decision in favor of a Spanish-speaking immigrant, assuming you believed the person was not properly paid by his or her employer? Do you possess any strong feelings regarding people living or working in this country who do not speak English?

**Conclusion**

1. Having heard the questions put to you by the Court, is there any reason why you could not sit on this jury and render a fair verdict based on the evidence presented to you and in the context of the court's instructions to you on the law? If so, what is that reason? How do you believe it is likely to influence your decision-making?
2. Has anyone already formed an opinion about this case?